

REMARKS

Claims 1-19 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1-16, drawn to a mechanism for attaching and detaching a transfer unit to an image forming apparatus, classifiable in class 399, subclass 124; and

Group II, claims 17-19, drawn to an image forming device having two images forming modes, classified in class 399, subclass 299.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, Claims 1-16.

It is respectfully submitted that the Restriction Requirement is improper in view of the fact that no serious burden is presented to the Examiner to consider all of the claims in a single application.

As set forth in § 803 of the MPEP, the Examiner must examine an application on the merits if the examination of the entire application can be made without serious burden. Two criteria are identified for proper requirement for restriction:

The inventions must be independent or distinct as claimed; and

There must be a serious burden on the Examiner if the restriction is not required.

The Examiner notes that the class for searching both of the groups is the same. As such, Applicants respectfully submit that there is no undue burden in consideration

all of the claims in this single application. Applicants respectfully request the outstanding restriction requirement be withdrawn.

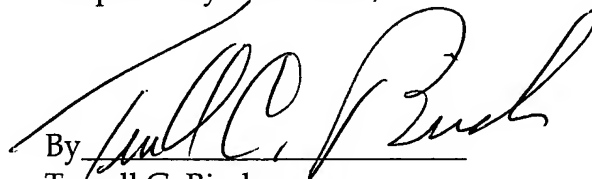
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet, Registration No. 52,327, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: May 23, 2005

Respectfully submitted,

By 

Terrell C. Birch

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